

LEGISLATIVE COUNCIL
Question on notice

Tuesday, 18 February 2014

739. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment.

I refer to a chemical spill at BASP's Hutt Lagoon site at Yallabatharra in the shire of Northampton on Tuesday, 10 December 2013 as reported by AAP, and I ask:

- (a) what was the nature of the chemical spill;
- (b) what was the quantity of the chemical spill;
- (c) who is the owner of the facility;
- (d) who is the owner on the land on which the facility sits;
- (e) what lease arrangements are in place for the facility;
- (f) who is responsible for the environmental rehabilitation of the area at the end of the life of the project;
- (g) where is the spill site in relation to Camping and Water Reserve CR 15126 held by the Shire of Northampton;
- (h) was the leak contained within the site:
 - (i) if yes to (h), how; and
 - (ii) if no to (h), why not;
- (i) did all or some of the chemical permeate the ground:
 - (i) if yes to (i), what quantify;
 - (ii) if no to (i), why not; and
 - (iii) if yes to (i), was the contaminated soil removed:
 - (A) if yes to (i)(iii), what process was used to remove the contaminated soil; and
 - (B) if no to (i)(iii), why not;
- (j) were all staff evacuated from the BASF Beta Carotene site:
 - (i) if yes to (j), for how long; and
 - (ii) if yes to (j), under what condition did staff or other personal re-enter the site;
- (k) what was the cause of the chemical spill;
- (l) was the Department for Emergency Services notified of the spill;
- (m) has Worksafe carried out an investigation into the incident:
 - (i) if yes to (m), has the investigation been completed;
 - (ii) if yes to (m)(i), will the Minister table the report;
 - (iii) if no to (m), why not; and
 - (iv) if no to (m)(ii), why not; and
- (n) were any roads closed adjacent to the spill site:
 - (i) if yes to (n), please provide details, including who requested the respective road closure, who ordered it and the duration of closure?

Answer

The Minister for Environment has provided the following response.

- (a) I have been advised that the spill consisted of a slow leak of approximately 5 000 to 7 000 litres of hydrochloric acid from a 20 000 litre acid storage tank. There was no discharge of acid to the environment as the spill was contained within the fibreglass-lined concrete containment bund surrounding the tank. Contents of the bund and acid storage tank were transferred the following day into 1 000 litre intermediate bulk containers for transport off-site.

- (b) See response to (a) above.
- (c) The current owner of the Hutt Lagoon facility is BASF Australia Ltd.
- (d) The current owner of the land on which the facility sits is the Department of Lands.
- (e) I have been advised that BASF leases a portion of the Hutt Lagoon area from the Department of Lands. As agencies in the Environment portfolio are not parties to the lease agreement, I am not aware of the exact arrangements of the lease.
- (f) The general hierarchy of responsibility for the remediation of contaminated sites is set out in Part 3 of the *Contaminated Sites Act 2003*. This is in addition to any rehabilitation requirements set out under the lease agreement.
- (g) The location of the bunded hydrochloric acid storage tank is approximately 530 metres west-northwest of CR 15126.
- (h) Yes
 - (i) See response to (a) above.
 - (ii) Not applicable
- (i) No
 - (i) Not applicable
 - (ii) See response to (a) above.
 - (iii) Not applicable
 - (A-B) Not applicable
- (j)-(l) These questions should be referred to the Minister for Emergency Services as the Minister responsible for the Department of Fire and Emergency Services.
- (m) This question should be referred to the Minister for Commerce as the Minister responsible for Worksafe.
- (n) This question should be referred to the Minister for Emergency Services as the Minister responsible for the Department of Fire and Emergency Services.

A handwritten signature in black ink, appearing to be the initials 'AF' with a stylized flourish.